

## WAR CLAIMS ACT AMENDMENTS

DECEMBER 17, 1974.—Ordered to be printed

Mr. STAGGERS, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany S. 1728]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1728) to increase benefits provided to American civilian internees in Southeast Asia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

*That section 5(i)(3) of the War Claims Act of 1948 (50 App. U.S.C. 2004(i)(3)) is amended by striking out "\$60" and inserting in lieu thereof "\$150".*

*SEC. 2. Section 213(a) of such Act is amended by redesignating paragraph (4) as paragraph (5) and inserting after paragraph (3) the following new paragraph:*

*"(4) Thereafter, payments from time to time on account of the other awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1), (2), or (3) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is less. The total payment pursuant to this paragraph on account of any award shall not exceed \$250,000."*

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the Senate bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

An Act to amend the War Claims Act of 1948 to increase benefits provided to American civilian internees in Southeast

Asia and to provide for additional payments on awards made to individuals under that Act.

And the House agree to the same.

HARLEY O. STAGGERS,  
JOHN M. MOSS,  
W. S. (BILL) STUCKEY, JR.,  
BOB ECKHARDT,  
JAMES T. BROYHILL,  
JOHN H. WARE,  
JOHN Y. MCCOLLISTER,

*Managers on the Part of the House.*

QUENTIN BURDICK,  
HIRAM L. FONG,

*Managers on the Part of the Senate.*

### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1728) to increase benefits provided to American civilian internees in Southeast Asia, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text and provided a new title for the Senate bill, and the Senate disagreed to the House amendments.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill, and also recede from its disagreement to the House amendment to the title of the Senate bill with a clarifying amendment.

The differences between the text of the Senate bill, the House amendment thereto, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

#### SENATE BILL

The Senate bill amended section 5 of the War Claims Act of 1948 to increase the authorized detention benefits for American civilians during the Vietnam conflict from \$60 per month to \$150 per month, in order to raise the detention benefits authorized for civilians to the level presently authorized for military personnel.

#### HOUSE AMENDMENT

The House amendment also amended section 5 of the War Claims Act of 1948 to increase from \$60 to \$150 per month the benefits provided to American civilian internees in Southeast Asia.

In addition, section 2 of the House amendment amended section 213(a) of the War Claims Act of 1948 to give a first priority to the payment in full of the remaining individual awards for property losses arising out of World War II, and a second priority to the payment of the remaining corporate awards for similar losses up to the level of \$50,000.

Existing law provides for payment of both individual and corporate awards, in equal amounts up to \$35,000, and on a pro rata basis above that figure.

CONFERENCE SUBSTITUTE

The conference substitute, like both the Senate and the House, amendment, increases from \$60 to \$150 per month the benefits provided to American civilian internees in Southeast Asia.

Under the conference substitute, the provision of existing law under which both individual and corporate awards are paid in equal amounts up to \$35,000 is retained, and thereafter individual claimants not paid in full will receive payments in an amount which will be the same for each award or in the amount of the award, whichever is less. The total payment under the new section 213(a)(4) to any individual on account of any award is limited to \$250,000. The balance of amounts in the War Claims Fund will then be used to make pro rata payments on the remaining individual and corporate awards.

The Committee of Conference agreed, in adopting these amendments to existing law, that there is no intent to encourage or set any precedent concerning settlement of property loss claims in the field of international law which are within the proper jurisdiction of other committees of the Congress. The amendments are designed solely to provide an equitable solution to the particular facts surrounding the remaining unpaid property loss claims arising out of World War II.

HARLEY O. STAGGERS,  
JOHN M. MOSS,  
W. S. (BILL) STUCKEY, Jr.,  
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*Managers on the Part of the House.*  
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HIRAM L. FONG,  
*Managers on the Part of the Senate.*

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## PROVIDING FOR CONSIDERATION OF S. 1728

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AUGUST 8, 1974.—Referred to the House Calendar and ordered to be printed

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Mr. MURPHY of Illinois, from the Committee on Rules,  
submitted the following

### REPORT

[To accompany H. Res. 1306]

The Committee on Rules, having had under consideration House Resolution 1306, by a nonrecord vote, report the same to the House with the recommendation that the resolution do pass.

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